

(C) to require or authorize recognition of a right or claim arising from a polygamous marriage.

(2) COVERED MARRIAGE.—In this subsection, the term “polygamous marriage” means a marriage that is not a union—

(A) between no more than 2 or less than 2 individuals; and

(B) in which each of those individuals is in only 1 marriage.

(b) NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH A PARTY IS BELOW A CERTAIN AGE LIMIT.—

(1) IN GENERAL.—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State if either party, on the date of the marriage, was under the age of consent for marriage in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State if either party, on the date of the marriage, was under that age.

(2) STATE DETERMINATION.—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the age of consent for marriage in that State.

(c) NO FULL FAITH AND CREDIT FOR MARRIAGES IN WHICH THE PARTIES ARE TOO CLOSELY RELATED.—

(1) IN GENERAL.—Nothing in this Act, or any amendment made by this Act, shall be construed—

(A) to give full faith and credit in a second State to an act, record, or proceeding pertaining to a marriage in a first State in which the parties have a degree of consanguinity for which marriage is forbidden in the second State; or

(B) to require or authorize recognition in a second State of a right or claim arising from a marriage in a first State in which the parties have that degree of consanguinity.

(2) STATE DETERMINATION.—Nothing in this Act, or any amendment made by this Act, shall prohibit a State from determining the degree of consanguinity for marriage in that State.

SA 6502. Mr. VAN HOLLEN (for Mr. LEAHY (for himself and Mr. GRASSLEY)) proposed an amendment to the bill H.R. 5796, to amend title 35, United States Code, to establish a competition to award certificates that can be redeemed to accelerate certain matters at the Patent and Trademark Office, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Patents for Humanity Act of 2022”.

SEC. 2. AWARD OF CERTIFICATES TO ACCELERATE CERTAIN MATTERS AT THE PATENT AND TRADEMARK OFFICE.

(a) AWARD.—Chapter 2 of title 35, United States Code, is amended by adding at the end the following:

“§ 28. Award of certificates to accelerate certain matters at the Patent and Trademark Office

“(a) DEFINITION.—In this section, the term ‘eligible entity’ means an entity that—

“(1) submits an application under subsection (d) for a patent that addresses a humanitarian issue; and

“(2) meets the requirements specified by the Director.

“(b) ESTABLISHMENT.—There is established a competition, to be held not less frequently than biennially, to award eligible entities certificates that can be redeemed to accelerate one of the following matters:

“(1) An ex parte reexamination proceeding, including 1 appeal to the Patent Trial and Appeal Board from that proceeding.

“(2) An application for a patent, including 1 appeal to the Patent Trial and Appeal Board from that application.

“(3) An appeal to the Patent Trial and Appeal Board of a claim twice rejected in a patent application or reissue application or finally rejected in an ex parte reexamination, without accelerating the underlying matter that generated the appeal.

“(4) A matter identified by the Director.

“(c) ADMINISTRATION.—The Director shall administer the competition established under subsection (b).

“(d) APPLICATION.—An entity seeking an award under subsection (b) shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require.

“(e) PROMOTION OF COMPETITION.—The Director shall promote the competition established under subsection (b) through the satellite offices established pursuant to section 1.

“(f) TREATMENT AS SUCCESSOR.—The competition established under subsection (b) shall be treated as a successor to the Patents for Humanity Program (established in the notice entitled ‘Humanitarian Awards Pilot Program’, published at 77 Fed. Reg. 6544 (February 8, 2012)).”

(b) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, may be construed as affecting any action taken by the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office before the date of enactment of this Act with respect to the administration of the Patents for Humanity Program established in the notice entitled “Humanitarian Awards Pilot Program”, published at 77 Fed. Reg. 6544 (February 8, 2012).

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 35, United States Code, is amended by adding at the end the following:

“28. Award of certificates to accelerate certain matters at the Patent and Trademark Office.”.

The PRESIDING OFFICER. The Senator from Maryland.

PATENTS FOR HUMANITY ACT OF 2021

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 5796 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5796) to amend title 35, United States Code, to establish a competition to award certificates that can be redeemed to accelerate certain matters at the Patent and Trademark Office, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. VAN HOLLEN. I ask unanimous consent that the Leahy substitute amendment at the desk be agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 6502), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Patents for Humanity Act of 2022”.

SEC. 2. AWARD OF CERTIFICATES TO ACCELERATE CERTAIN MATTERS AT THE PATENT AND TRADEMARK OFFICE.

(a) AWARD.—Chapter 2 of title 35, United States Code, is amended by adding at the end the following:

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“(1) submits an application under subsection (d) for a patent that addresses a humanitarian issue; and

“(2) meets the requirements specified by the Director.

“(b) ESTABLISHMENT.—There is established a competition, to be held not less frequently than biennially, to award eligible entities certificates that can be redeemed to accelerate one of the following matters:

“(1) An ex parte reexamination proceeding, including 1 appeal to the Patent Trial and Appeal Board from that proceeding.

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“(3) An appeal to the Patent Trial and Appeal Board of a claim twice rejected in a patent application or reissue application or finally rejected in an ex parte reexamination, without accelerating the underlying matter that generated the appeal.

“(4) A matter identified by the Director.

“(c) ADMINISTRATION.—The Director shall administer the competition established under subsection (b).

“(d) APPLICATION.—An entity seeking an award under subsection (b) shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require.

“(e) PROMOTION OF COMPETITION.—The Director shall promote the competition established under subsection (b) through the satellite offices established pursuant to section 1.

“(f) TREATMENT AS SUCCESSOR.—The competition established under subsection (b) shall be treated as a successor to the Patents for Humanity Program (established in the notice entitled ‘Humanitarian Awards Pilot Program’, published at 77 Fed. Reg. 6544 (February 8, 2012)).”

(b) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, may be construed as affecting any action taken by the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office before the date of enactment of this Act with respect to the administration of the Patents for Humanity Program established in the notice entitled “Humanitarian Awards Pilot Program”, published at 77 Fed. Reg. 6544 (February 8, 2012).

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 35, United States Code, is amended by adding at the end the following:

“28. Award of certificates to accelerate certain matters at the Patent and Trademark Office.”.

The amendment was ordered to be engrossed and the bill to be read a third time.